

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN PARLANTE,

Plaintiff,

v.

AMERICAN RIVER COLLEGE,

Defendant.

Case No. 2:20-cv-02268-KJM-JDP (PS)

ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED
FOR FAILURE TO COMPLY WITH LOCAL
RULES

ECF No. 19

On July 6, 2022, defendant filed a motion for summary judgment. ECF No. 19. To date, plaintiff has not filed a response to the motion.

Under the court's local rules, a responding party is required to file an opposition or statement of non-opposition to a motion no later than fourteen days after the date it was filed. E.D. Cal. L.R. 230(c). To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 The court will give plaintiff the opportunity to explain why sanctions should not be
2 imposed for failure to file an opposition or statement of non-opposition to defendant's motion.
3 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and
4 will result in a recommendation that this action be dismissed.

5 Accordingly, it is hereby ORDERED that:

6 1. The August 11, 2022 hearing on defendant's motion for summary judgment is
7 continued to September 8, 2022, at 10:00 a.m., in Courtroom No. 9.

8 2. By no later than August 25, 2022, plaintiff shall file an opposition or statement of non-
9 opposition to defendant's motion for summary judgment. *See* ECF No. 19.

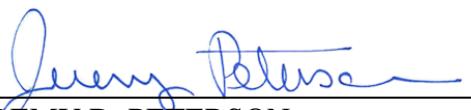
10 3. Plaintiff shall show cause, by no later than August 25, 2022, why sanctions should not
11 be imposed for failure to timely file an opposition or statement of non-opposition to defendant's
12 motion.

13 4. Defendant may file a reply to plaintiff's opposition, if any, no later than September 1,
14 2022.

15 5. Failure to comply with this order may result in a recommendation that this action be
16 dismissed for lack of prosecution, failure to comply with court orders, and failure to comply with
17 local rules.

18 IT IS SO ORDERED.
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20 Dated: August 1, 2022
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22 JEREMY D. PETERSON
23 UNITED STATES MAGISTRATE JUDGE
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